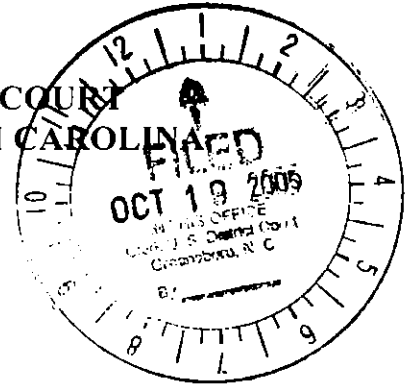


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



CHARLES R. COFFER,

Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

1:04CV00663


O-R-D-E-R

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on September 12, 2005, was served on the parties in this action. Counsel for Defendant objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation

IT IS THEREFORE ORDERED that Plaintiff's motion for judgment [Pleading No. 6] be **GRANTED**, that Defendant's motion for judgment on the pleadings [Pleading No.

8] be **DENIED**, and that this action be **REMANDED** to the Commissioner. A judgment dismissing this action will be entered contemporaneously with this Order.



United States District Judge

Date: October 19, 2005